

CRIMINAL COMPLAINT
(Electronically Submitted)

United States District Court	DISTRICT of ARIZONA
United States of America	DOCKET NO.
v. Emma AGUILAR DOB: 1952; United States Citizen	MAGISTRATE'S CASE NO. 23-07692 MJ
Complaint for violation of Title 18, United States Code, § 554(a)	

On or about October 22, 2023, in the District of Arizona, **Emma AGUILAR** knowingly and fraudulently exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is, three (3) firearms: a Taurus 9mm, a Beretta 21A 22LR, and a Smith and Wesson M&P Bodyguard 380, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774; all in violation of Title 18, United States Code, Section 554(a).

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On October 22, 2023, **Emma AGUILAR** attempted to exit the United States and enter the Republic of Mexico through the pedestrian outbound lane at the DeConcini Port of Entry in Nogales, Arizona. Customs and Border Protection Officers (CBPOs) were conducting outbound inspections when they stopped **Emma AGUILAR** for questioning. The Primary CBPO asked **AGUILAR** travel itinerary questions such as where she was going and coming from, to which she answered "Mexico" and "my home in Nogales, AZ." The CBPO then asked **AGUILAR** if she had any weapons or pistols to which she replied "no." The CBPO also asked **AGUILAR** if she had more than ten thousand dollars, to which she replied, "I have \$100." During the questioning, the CBPO observed signs and symptoms of nervousness displayed by **AGUILAR**, so he escorted her to secondary inspection for a more intensive examination and pat-down search.

During the secondary inspection, a female CBPO asked **AGUILAR** if she had money to which **AGUILAR** stated, "No, pistolas" and pointed to her bra area. During a search of **AGUILAR**, CBPOs found three firearms concealed in **AGUILAR**'s bra and armpit areas: a Taurus 9mm, a Beretta 21A 22LR, and a Smith and Wesson M&P Bodyguard 380. During the search, CBPOs also found three (3) handgun holsters and seven (7) empty magazines (four 9mm, one 22LR, and two .380) concealed in those same areas.

(BASIS OF COMPLAINT CONTINUED ON REVERSE.)

MATERIAL WITNESSES IN RELATION TO THE CHARGE: N/A

DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT Digitally signed by BRETT W HEINONEN BRETT W HEINONEN Date: 2023.10.23 13:48:10 -07'00'
AUTHORIZED BY AUSA Raquel Arellano <i>Raquel Arellano</i> Digitally signed by RAQUEL ARELLANO Date: 2023.10.23 13:33:51 -07'00'	OFFICIAL TITLE HSI Special Agent Brett Heinonen

Sworn by telephone

SIGNATURE OF MAGISTRATE JUDGE ¹⁾ <i>Raquel Arellano</i>	DATE October 23, 2023
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1) See Federal Rules of Criminal Procedure Rules 3, 41, and 54

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(BASIS OF COMPLAINT'S CHARGE AGAINST THE ACCUSED CONTINUED.)

The firearms found on **AGUILAR**'s person qualify as United States Commerce Control List items and therefore are prohibited by law for export from the United States into Mexico without a valid license. **AGUILAR** does not possess a license to export firearms into Mexico.

